REMARKS

I. INTRODUCTION

Claims 25 and 26 have been amended to more particularly point out and distinctly claim the subject matter of the present invention. No new matter added has been added. Thus, claims 16-26 and 28-32 are pending in the present application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE CLAIM OBJECTIONS SHOULD BE WITHDRAWN

Claim 25 was objected to because the word "no" was used instead of "not." Claim 25 has been corrected, and it is respectfully submitted that the objection to this claim should be withdrawn.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

The Examiner has rejected claims 16-18, 20-22, 24,25 and 32 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,540,137 to Forsythe et al. ("the Forsythe patent") in view of U.S. Patent Application Publication No. 2003/0018550 to Rotman et al. ("the Rotman application"). (See 12/2/04 Office Action, ¶ 4).

The Forsythe patent describes a checkout system 10 which is operable in an assisted checkout transaction aided by personnel at a retail store or a self-service checkout transaction performed solely by a customer. (See the Forsythe patent, col. 40, lines 45-51). The system 10 includes a customer interface terminal 78 which consists of a display monitor 78a, a scanner 24 and an electronic payment terminal 44. (Id. at col. 41, lines 15-20; col. 42, line 66 - col. 43, line 7). During the self-service checkout transaction, the customer scans items and views item prices

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and a total on the display monitor 78a. (Id. at col. 17, lines 14-27). An advertisement corresponding to one of the items or a customer profile loaded in an in-store network is shown on the display monitor 78a. (Id. at col. 17, lines 28-50). Payment is made via a currency acceptor or charging a credit/debit card at the electronic payment terminal 44. (Id. at col. 11, lines 30-63).

The Rotman application describes a system for providing near real-time market information predications based on money flow maps derived from payment transaction information. (See the Rotman application, ¶ [0024]). During a payment transaction, a merchant computes a transaction total based on goods and services selected by a customer. (Id. at ¶ [0058]). The transaction total is forwarded to a credit card clearinghouse, which in turn, forwards the total to a credit card issuer to seek approval of the total. (Id. at ¶ [0058]). If the transaction is approved, the transaction total is put into a transactional database. (Id. at ¶ [0058]). Information in the transactional database is scaled and normalized so that it may be applied "to known or newly created models for predicting financial metrics, such as stock price, interest rates or commodity supplies. (Id. at ¶ [0057]).

Claim 16 of the present application is directed to a method for conducting a transaction using a cashier-side unit and a customer-response unit, which includes the step of "transmitting the customer input and the monetary amount to a remote service provider for authorization." According to the present specification, a cashier will enter a dollar amount of a transaction using the cashier-side unit. (See Specification, page 9, lines 22-24). The cashier-side unit transfers the dollar amount information to the customer-response unit. (See Specification, page 9, lines 22-23). The customer-response unit receives input from the customer regarding the transaction, and the customer-response unit, which includes a communications link, transmits the customer input and the received dollar amount information to a remote payment processor for authorization. (See Specification, pg. 7, lines 14-19; page 9, lines 22-24).

The Examiner recognizes that the Forsythe patent does not disclose or suggest "transmitting the customer input and the monetary amount to a remote service provider for

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authorization," as recited in claim 16. (See 12/2/04 Office Action, p. 4). However, the Examiner attempts to cure the deficiency of the Forsythe patent using the Rotman application. As noted above, the Rotman application discloses a system for analyzing transaction data "to project corporate revenues for companies traded on any of the major exchanges." (See the Rotman application, ¶ [0053]). Then, "[f]or each company of interest, the dollar value of all transactions can be accumulated over a predetermined period of time, for example from the first day of current business quarter until the current day of business quarter." (Id. at ¶ [0054]).

The Rotman application neither discloses nor suggests "transmitting the customer input and the monetary amount to a remote service provider for authorization," as recited in claim 16. The Rotman application describes a transaction at a merchant location, and, as part of the transaction, the merchant "compute[s] a transaction total based on the goods and services selected by the customer." (Id. at ¶ [0058]). Transactional data, which includes the transaction total, is compiled and transmitted to the credit card issuer for authorization. (Id. at ¶ [0058]). The transactional data is further stored in an issuer mainframe, which is accessible for analysis by end users (e.g., stock analysts, bank credit underwriters, etc.). (Id. at ¶¶ [00530]; [0060]). The Rotman application describes the transactional data as follows:

> The first field is place of purchase 242. The second field is time of purchase 244. The third field is SIC code 246. The fourth field is dollar amount 248 corresponding to the amount of money that is to be exchanged in the transaction. The fifth field is account number 250, which corresponds to the account number of the transaction payor.

(Id. at ¶ [0061]). None of the transactional data is described as, or could be equated to, customer input. For example, the Rotman application does not disclose that the customer inputs the place or time of the purchase. These fields are provided by the merchant. Therefore, it is respectfully submitted that the neither the Forsythe patent nor the Rotman application, either alone or in combination, discloses or suggests "transmitting *the customer input and the monetary amount* to a remote service provider for authorization," and, as such, the Examiner should withdraw the rejection of claim 16.

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In view of the above remarks, it is respectfully submitted that claims 17-18, 20-22 and 24-25, which depend from and, therefore, include the limitations of claim 16, are allowable for at least the reasons stated above. Furthermore, independent claim 32, which includes substantially the same limitations as claim 16 including "transmitting the customer input and the monetary amount to a remote service provider for authorization," should be allowable for the reasons stated above.

The Examiner has rejected claims 19, 23, 26 and 28-31 under 35 U.S.C. 103(a) as unpatentable over the Forsythe patent in view of the Rotman application and in further view of U.S. Patent Application Publication No. 2003/0126020 to Smith et al. ("the Smith application"). (See 12/2/04 Office Action, p. 5).

As amended, claim 26 is directed to a system for conducting a transaction which includes a cashier-side unit comprising "an authentication interface for transmitting the customer input and the monetary amount to an authentication server." As discussed above with reference to claim 16, neither the Forsythe patent nor the Rotman application discloses or suggests "transmitting the customer input and the monetary amount." The Smith application is directed to a method for the generation and transmission of electronic receipts. (See the Smith application, Abstract). As such, the Smith application does not cure the deficiencies of the Forsythe patent and the Rotman application. Therefore, it is respectfully submitted that neither the Forsythe patent nor the Rotman application nor the Smith application, either alone or in combination, discloses or suggests "an authentication interface for transmitting the customer input and the monetary amount to an authentication server."
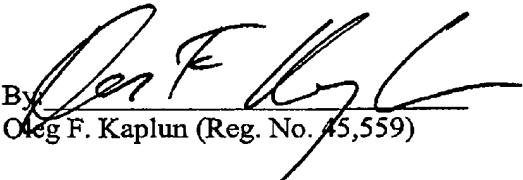
In view of the above remarks, it is respectfully submitted that claims 28-31, which depend from and, therefore, include the limitations of claim 26, are allowable for at least the reasons stated above. Because claims 19 and 23 depend from and, therefore, include the limitations of claim 16, it is respectfully submitted that these claims are allowable for the same reasons as stated above with regard to claim 16.

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CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By

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